

Message Text

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PAGE 01 EC BRU 01448 161927 Z

70

ACTION STR-08

INFO OCT-01 EUR-25 IO-12 ADP-00 AID-20 EB-11 NSC-10 RSC-01

CIEP-02 SAL-01 SS-14 OMB-01 CEA-02 L-03 H-02 CIAE-00

COME-00 EA-11 FRB-02 INR-09 NEA-10 NSAE-00 OPIC-12

TRSE-00 LAB-06 SIL-01 AGR-20 RSR-01 /185 W

----- 075538

R 161800 Z MAR 73

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 4887

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS UNN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION GENEVA

USMISSION OECD PARIS UNN

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PASS AGRICULTURE

E. O. 11652: NA

TAGS: ETRD, EEC

SUBJECT: EC WINE CAP - SUPPLEMENTARY CONDITIONS FOR IMPORTS

REF: (A) STATE 040693; (B) EC A-331 OF 1020/71;

(C) EC A-278 OF 10/6/72

1. SUMMARY. IN ACCORDANCE WITH THE INSTRUCTIONS IN REF A, WE HAVE REQUESTED THE EC COMMISSION TO GRANT THE U. S. A ONE- YEAR WAIVER FROM THE WINE CERTIFICATION REQUIREMENTS SCHEDULED TO BECOME EFFECTIVE APRIL 1, 1973 (REFS B AND C). IT NOW SEEMS

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PAGE 02 EC BRU 01448 161927 Z

UNLIKELY THAT THE COMMISSION WILL PROPOSE SUCH A WAIVER OR A POSTPONEMENT OF THE EFFECTIVE DATE FOR THOSE REQUIREMENTS.
END SUMMARY.

2. ON MARCH 8, WE MET WITH FALKENBERG (OF THE COMMISSION' S AGRICULTURAL DIRECTORATE) TO REQUEST THAT THE COMMUNITY GRANT THE U. S. A ONE- YEAR WAIVER FROM THE SUPPLEMENTARY CONDITIONS FOR IMPORTED WINES SCHEDULED TO BECOME EFFECTIVE APRIL 1. IN ADDITION TO EXPLAINING THE REASONS FOR THE REQUESTED WAIVER AS OUTLINED IN REF A, WE CONVEYED INFORMALLY TO FALKENBERG AS WELL AS TO OTHER COMMISSION OFFICIALS, OUR CONCERN THAT A NEGATIVE RESPONSE TO THE U. S. REQUEST COULD POSSIBLY BE USED BY CERTAIN GROUPS AS PRETEXT FOR ERECTING BARRIERS TO U. S. IMPORTS OF WINE.

3. IN SUBSEQUENT CONTACTS WITH FALKENBERG, AS WELL AS IN TALKS WITH MARMULLA AND OFFICIALS IN THE COMMISSION' S WINE DIVISION, WE LEARNED THAT THE COMMISSION IS VERY RELUCTANT TO ACCEDE TO OUR REQUEST AND THAT IT IS UNLIKELY THAT IT WILL PROPOSE TO THE COUNCIL A WAIVER FOR THE U. S. OR A POSTPONEMENT OF THE EFFECTIVE DATE OF THE CERTIFICATION REQUIREMENTS.

4. THE COUNCIL MAY DISCUSS THESE REQUIREMENTS AT ITS MEETING ON MARCH 26. IT IS POSSIBLE, BUT NOT PROBABLE, THAT AT THAT TIME THE COUNCIL WILL DECIDE ON ANOTHER POSTPONEMENT OF THE EFFECTIVE DATE. HOWEVER, ANY SUCH POSTPONEMENT WOULD PROBABLY NOT EXCEED FOUR TO SIX WEEKS.

5. THERE APPEAR TO BE SEVERAL REASONS FOR THE COMMISSION' S RELUCTANCE TO ACCEDE TO OUR REQUEST. EC OFFICIALS TOLD US THAT A WAIVER ONLY FOR THE U. S. WOULD BE DISCRIMINATORY AND WOULD UNDOUBTEDLY RESULT IN A RASH OF COMPLAINTS FROM OTHER THIRD COUNTRIES. TO AVOID THIS, A POSTPONEMENT OF THE EFFECTIVE DATE WOULD BE NECESSARY. SINCE OTHER INTERESTED THIRD COUNTRIES APPARENTLY ARE IN A POSITION TO FULLY MEET THE NEW REQUIREMENTS, COMMISSION OFFICIALS DO NOT CONSIDER A POSTPONEMENT NECESSARY. THEY ALSO POINT OUT THAT THE EFFECTIVE DATE HAS ALREADY BEEN POSTPONED FOUR TIMES. TO POSTPONE IT AGAIN, THEY SAY, WOULD MAKE IT A COMEDY.

6. THE OFFICIALS WITH WHOM WE TALKED CONSIDER THAT THE U. S. HAS HAD ADEQUATE TIME TO IMPLEMENT THE MECHANISME NECESSARY TO LIMITED OFFICIAL USE

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PAGE 03 EC BRU 01448 161927 Z

COMPLY WITH THE NEW REQUIREMENTS. IN RESPONSE TO OUR REPLY

THAT NO MECHANISM PRESENTLY EXISTS FOR PROVIDING THE NECESSARY CERTIFICATION, THEY GENERALLY WERE PUZZLED THAT A COUNTRY LIKE THE U. S. WITH A LARGE PRODUCTION OF WINE " WHICH MUST MEET SOME TYPE OF QUALITY STANDARDS" CAN FAIL TO MEET THE EC STANDARDS WHEN SMALL PRODUCING COUNTRIES SUCH AS ISRAEL, AUSTRALIA AND SOUTH AFRICA CAN MEET THE SAME CERTIFICATION REQUIREMENTS.

7. THEY FURTHER STATED THAT THE EC REQUIREMENTS CANNOT BE CONSIDERED AS TRADE RESTRICTIVE. THE STANDARDS, THEY STATE, ARE PRIMARILY TO PROVIDE AN ASSURANCE TO BUYERS AND CONSUMERS THAT IMPORTED WINES HAVE NOT BEEN SUBJECTED TO UNACCEPTABLE ENCOLOGICAL PROCEDURES.

8. IN REGARD TO THE " AGENCIES" WHICH MUST CERTIFY THAT THE WINES IN QUESTION MEET CERTAIN STANDARDS, COMMISSION OFFICIALS ADVISED THAT THESE AGENCIES NEED NOT BE U. S. GOVERNMENT AGENCIES. THEY MUST, HOWEVER, BE " COMPETENT" TO MAKE THE CERTIFICATION. (COMMISSION OFFICIALS CITED THE CALIFORNIA WINE INSTITUTE AND THE CALIFORNIA DEPARTMENT OF AGRICULTURE AS EXAMPLES OF COMPETENT AGENCIES.) AND THEY MUST BE RECOGNIZED AND DESIGNATED BY THE U. S. GOVERNMENT. THE LABORATORIES PERFORMING THE ANALYSES CAN BE COMMERCIAL (INCLUDING WINERY) LABORATORIES PROVIDED THEY ARE RECOGNIZED AND APPROVED BY THE U. S. GOVERNMENT.

9. ANSWERS TO THE OTHER QUESTIONS POSED TO KOENIG WILL BE FORWARDED SEPARATELY.

DECONTROL AFTER MARCH 16, 1973

GREENWALD

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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COPENHAGEN
DUBLIN
LONDON
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SECSTATE WASHDC

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